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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,763	09/27/2001	Wesley A. Binkley	4943US (01-03-103)	6837

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Marshall Gerstein & Borun  
6300 Sears Tower  
233 South Sacker Drive  
Chicago, IL 60606-6402

EXAMINER

ENATSKY, AARON L

ART UNIT PAPER NUMBER

3713

DATE MAILED: 02/04/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/966,763

**Applicant(s)**

BINKLEY ET AL.

**Examiner**

Aaron L Enatsky

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 62-81 is/are pending in the application.
- 4a) Of the above claim(s) 62-68 and 76-81 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 69-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

Examiner acknowledges receipt of amendment on 12/15/03.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 69, 71, 73-74 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,530,842 to Wells et al. ("Wells").

Wells teaches a game machine having an integrated processor, monitor, and input element (Abstract). The monitor is secured to the body of the game machine, while still adjustable to a plurality of orientations (4:61-5:24). The monitor adjustments may be performed manually or by motor (5:13-24). The monitor may be one of a plurality of known display types including a flat panel, cathode ray tube, and a field emission array (5:36-40). The input element can be implemented on the display as a touch-screen or other input device remote from a monitor (4:41-49). The remote device for communicating with the game machine also serves to define a device that is external to the game machine. The input devices will allow a player to designate a number of credits to wager on a gaming machine, including receiving compensation for game winnings (8:52-54). The monitor can be pivotal in the horizontal direction, which further teaches movement along a plurality of axes (Fig. 2B-2C). The game machine includes a currency

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accepting mechanism of any known device for handling currency (6:30-37) and a poker game maybe played on the game machine (Fig. 6). Additional structural details shown by Wells are a base (Fig. 2A), a first support elements attached to the base (Fig. 2A, 30A), a brace configured to accommodate the display unit (Fig. 2A, 30C), a second support element received with in the first support element that is translatable between a first and second position (Fig. 2A, 30B-C and Fig. 2B-C), a second end of the second support connected to through the brace (Fig. 2A, 30C), and at least one fastener mechanism to pivotally secure the display to the brace (Fig. 2B-2C, the end of 30C).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wells as applied to claims 69, 71, 73-74 above, and further in view of US Patent No. 5,553,820 to Karten et al. ("Karten") and US Patent No. 4,158,490 to Gottschalk et al. ("Gottschalk"). Wells teaches the limitations as described above, in addition to a description of detents used in the movable monitor support structure to fix the position of the structure (5:17-19). Wells does not teach using a support pin and knob to fix or allow adjustments to the movement of the support structure. However, the use of a pin and knob are well known elements in securing two pivotally attached items and would have been well within the capability of one of ordinary skill in the art to replace the detents and use a pin and knob combination to secure monitor support positions.

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For further support Examiner points Applicant to Gottschalk, showing a pin and knob for securing two attached, but translatable items (Fig.2, 22) and Karten, showing the same (Fig. 2, 96)

Claims 72 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells as applied to claims 69, 71, 73-74 above, and further in view of US Patent No. 5,429,361 to Raven et al ("Raven"). Wells teaches the claimed limitations as discussed above, but does not disclose specifics on how gaming credits/authorization and redemptions are performed. Raven teaches a game system that uses magnetic cards issued by a casino for player credit and account tracking (Abstract). Raven also teaches that gaming credits are obtained from a location remote from a gaming terminal that leads to game initiation (10:44-58), the credits are obtained by inserting a card in a gaming machine slot and entering a PIN (10:44-58), a player can select a number of game credits to used to wager in a game (10:44-67), a player can redeem the recorded balance at a remote location (11:21-23), and machines can be networked (Fig. 3). One would be motivated to modify Wells to include the cashless gaming system taught by Raven to allow for greater security as authorizations are verified at a central computer (10:56-58) and a player will be release from carrying large amounts of cash to play the game (10:40-43).

### ***Response to Arguments***

Applicant has canceled claims 1-61 and elected without traverse claims 69-75 from newly added claims 62-81. Claims 69-75 remain pending and claims 62-68 and 76-81 are withdrawn from consideration. Detailed reasons for rejection of the new claims are provided above.

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*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron L Enatsky whose telephone number is 703-305-3525. The examiner can normally be reached on 8-6 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

ALE

  
Teresa Walberg  
Supervisory Patent Examiner  
Group 3700